

Good Governance in Land Administration from Below: The Case of Naeder Adet Woreda, Ethiopia

Mhrtey Adisalem Tikue

Department of Civics and Ethical Studies

College of Social Science and Humanities, Arba Minch University, P.O.BOX:21, Arba Minch University

Abstract

It is true that good land governance has a viable role in ensuring sustainable local development. This study dealt with the performance of good land governance pertaining to accountability in Naeder Adet woreda of Tigray Regional State. The study was conducted by using 182 household heads that were selected via convenience sampling. Furthermore, focused group discussion, interview, secondary data was used to gather relevant data. The study finding indicates that the performance good governance in the woreda land administration pertaining to accountability is sluggish where much is left to be done. The woreda land administration has installed both formal and informal accountability mechanisms where administrative accountability could be ensured. In spite of that, the practicability of these accountability mechanisms is in its early stage. There is the dearth of downward accountability. In this regard, the prime factors that inhibit the good governance in the land administration were found, among others, corruption, weak public education, weak monitoring and evaluation system, and coordination among stake holders and low incentives. Thus, if accountability is to be ensured, the woreda should work on tackling the above bottlenecks by setting clear guidelines and service standards, empowering civic engagement on service delivery process, providing adequate trainings and incentives to local councils and setting code of conduct to the land administrators.

Keywords: Good land governance, accountability, land administration committees, woreda

1.1. Introduction

The issue of good governance is articulated as the main target of the Millennium Development Goals (MDGs) an agenda for tackling poverty and sustainable development. The degree of bad governance in the African countries is sky-scraping compared to other countries of the world. It is true that Africa has many institutions that are mostly known by their unproductive and spoiled service delivery. Land is one of the precious property that majority of the African people life is depend up on. Land is a matter of survival. As far as this is concerned, the computation to access or not loss any plot of land is apparently stiff. The way it is governed and administered, therefore, has a significant impact on a country's future. This implies the issue of land needs very strong institutions at all levels to ensure tenure security, equal distribution of land and to minimize transaction costs and potential conflicts.

In Africa, the institutions that are in charge of land and land related issues are incompetent for the very reason that the individuals who are hired to administer the land administration do not have the enough capacity i.e. they are weak in knowledge and skill (FAO, 2009). Besides, scholars like Burns and Dalrymple (2008) noted that land administration is often perceived as one of the most corrupt sector in public administration. The authors further argued that land itself, considered a primary source of wealth, often becomes the trading medium and motivation for political issues, economic and power gains, and self fulfilling interests.

Ethiopia as one of the African countries has been striving for alleviating bad governance at all levels of government since 1990s. Decentralization and good governance remain critical issues for national led development programs in Ethiopia. Notwithstanding the achievements made so far, the performance of good governance, especially in the land administration sector remained the most subtle and unsatisfactory (MOFED, 2007). Therefore, cognizant to the economy of the people and practices of the land administration, good land governance is not a matter of choice, but a sine qua non in Ethiopia.

Tigray is one of the regional states in Ethiopia that different development activities have been undertaking to tackle poverty and bring sustainable development. As in the other regional states the rare myriad problems that the region has been facing both in ensuring good governance and speeding the process of democratization. It is true that ensuring development is not an easy task that can be done without a challenge. The problems of the regional state are not different from the national and global scenario. Realized this, the regional state of Tigray in collaboration with the federal government and other stakeholders has been exerting its effort in promoting good governance through introducing good governance packages, reforms and institutions.

1.2. Statement of the Problem

The issue of good land governance in the third world countries is the question of survival. In Ethiopia, access to land is extremely important and has become a major socio-economic asset. This is particularly the case for rural land, as Ethiopia has very large rural population, which has stayed consistent at approximately 83-85% of the

total population since 1998 (FAO 2014).

According to WB (2012), the need for good land governance is reinforced by three broad-based global trends. First, increased pressure on rural and urban land in response to volatile commodity prices and population growth makes it more important to effectively define and protect land resources. Second, climate change is likely to have particularly pernicious effects on areas traditionally considered to be hazardous. Finally, global programs that provide resources for environmental services, such as to reduce deforestation, are likely to affect behavior at the local level and, thus, accomplish their objectives only if local land rights are recognized to allow effective ways of channeling resources for right holders. The poor are particularly vulnerable to the effects of weak land governance as they lack the ability to protect their rights to land and other natural resources.

Empirical researches revealed that low capacity and low commitment of public servants, corruption and rent seeking, low transparency and accountability have negatively affected the performance of good land governance and local economic development in local governments (Filbert, 2005; Mardiasmo, 2007). In Ethiopia, lack of good land governance manifested as in lack of accountability, lack of meaningful participation and transparency in different parts of the country have been observed challenging the pace of democratization process and development as deemed by EPRDF regime (Meskerem, 2007; Helvetas Ethiopia, 2008). In the absence of strong capacity, strong commitment of public servants and the prevalence of rent seeking political economy, it is hardly possible to root poverty out and ensure good land governance and sustainable development.

As aforementioned, the regional state of Tigray as one of the second tier of governments in Ethiopia has been exerting its efforts in introducing and implementing different civil service reforms, good governance packages and institutions. The regional state via its civil service office has commenced good governance package to ensure good governance, and thereby ensure sound development since 2009. The practice of good governance at grass level as many researchers argue is determined not by the theoretical existence of institutions and good governance packages, but by the practical applicability of these packages and principles. The launching of civil service reforms and good governance packages per se do not necessarily imply the quality of governance unless there is well established organizational structure with a capable human and material resources and political commitment.

So far some studies have been conducted by different researchers in Ethiopia with regard to good governance. For instance, Woldeab et al (2012) assessed the performance of good governance on service delivery at federal water sector institutions and concluded merely on the selected institutions overlooking the phenomenon at the local level. Besides, Kasahun (2010) assessed the prevalence of good governance in selected public institutions as a case in Debre Birhan town. Another research was done by Gebre slassie (2012) on the performance of good governance on selected public sectors in Saesit Tsada Emba woreda of the Regional State of Tigray. Therefore, despite the fact that the above researchers took different sectors and different study areas, these researchers solely concluded that the performance of good governance in Ethiopia, especially at local level is lacking and underperforming where much is left to be done.

Hence, unlike to the above researchers, this paper dealt with the performances of good land governance pertaining to accountability at a different district (woreda) in one hand. On the other hand, to make it manageable this study apart from the above researchers merely dealt with performance of the principle of accountability and its mechanisms in the study area.

1.3. Objectives of the Study

- ✓ To examine the practices of accountability in the study area.
- ✓ To explore accountability mechanisms that installed to enhance good governance in study area.
- ✓ To explore the perception of the community on accountability mechanisms and answerability of public officials.
- ✓ To identify the factors that hinders the performance of accountability in the study area.

1.4. Scope and Limitation of the Study

Theoretically, this study has mainly dealt with the performance of the principle accountability in the land administration sector. Hence, the study did not assess any other principle of good governance apart from accountability. Geographically, the study was confined to the local level of Naeder Adet woreda Tigray for the very reason that to the knowledge of the researcher, no research was made before and the familiarity of the researcher to the study area.

On the other hand, the study is limited to one woreda and one public sector. Accordingly, any of the analysis of the findings is specific solely to the land administration sector. In the end, the study was delimited merely to rural kebeles, meaning the town of the woreda, was not included in this study. Furthermore, this study is confined to the first Growth and Transformation Plan (2010/11-2014/15) of the woreda.

2. REVIEW OF RELATED LITERATURE

2.1. Governance and Good Governance: Overview

Governance and good governance are sometimes erroneously used interchangeably [albeit] they are not alike. There is no consensus in using these terms rather they are defined and conceptualized differently by different organizations and scholars. Despite of this discrepancy, the two terms are increasingly being used in development literature. Governance is seen as the manner in which power is applied in the management of a country's economic and social resources for development WB (1998) cited in Grindle (2005).

The term good governance on the other hand, is described as participatory, transparent, responsive and accountable (Anello, 2008; Imminak, 2010; Tahir, 2008). In other words, good governance as many institutions and scholars agree is conceptualized as a process whereby a government runs all affairs of its people in an open and transparent manner and a government that has installed a vivid accountability and grievance handling mechanisms and also a government that encourages its people to actively take part in all their affairs in decision making- process right from the planning process up to the monitoring and evaluation stage.

Despite the pillars or principles of good governance vary from time to time, from institutions to institutions and from scholars to scholars, there is an agreement by governance and development scholars and international institutions on how real accountability and accountability mechanisms play a significant role in speeding up service delivery so that good governance and development activities could go in a rosy way. Hence, in the context of this study, good governance is related with the accountability in the decision making process, the implementation of policies and decisions, and the allocation of resources at the local level in the land administration sector.

2.2. Accountability as a pillar of good governance in the land administration sector

Land administration as part of public administration shares accountability in the realm of good governance (Subedi, 2009). Accountability has emerged as a core element of the governance agenda in the late 1990s due to growing concern with its absence in many new democracies, as well as some older ones. The idea of accountability is a contentious, where it is different to different people and organizations (Biela & Papadopoulos, 2010). However, various scholars agreed on the standard for the process of accountability with two groups that is the power holders and service providers and accountability holders can both promote good governance (Bovens, 2010; Biela and Papadopoulos, 2010).

Furthermore, World Bank (WB) and United Nations Development program (UNDP) unequivocally agreed accountability as one of the main principle of good governance, where all public sectors and private sector are supposed to accomplish their entire tasks in accountable manner. This apparently embraces answerability i.e. the capacity of accountability holders to demand answer from the power holders and service holders; and the capacity to sanction the power holders and service provides when they fail to discharge their responsibilities.

In many African countries, even those that have accountability mechanisms, the implementation is quite weedy and sterile especially in the land administration. The land administration in Africa is the most complex and bureaucratic sector. Accountability if not in all, in most African countries, is upward either to party leaders or to their upper bosses. This clearly implies there is a dearth of downward accountability in the continent. However, there are some countries that have attempted to build strong downward accountability or the system social accountability for promoting good governance, especially those that allow civil societies and NGOs to actively engage in promoting democratization and local development.

According to Olum (2011) building accountability systems involve six tasks: articulating strategies and value chains, identifying and prioritizing organizational stakeholders, setting standards and performance measures, assessing and communicating performance results, creating mechanisms that enable performance consequences so stakeholders can hold their institutions accountable. Accountability relationships can take the form of vertical and horizontal forms of accountability.

Vertical accountability is the direct engagement that individuals and groups have with governments and other duty-bearers using political voice through participation in democratic political processes, and with service providers using consumer voice.

Horizontal accountability involves various state institutions engaging in mutual scrutiny to prevent abuses of office. In this way, state actors are held accountable by formal redress or oversight mechanisms. Judicial institutions, for instance, review the constitutionality of executive decisions; the public audit function reviews probity in public spending; parliamentary committees provide government oversight; and ombudspersons or human rights commissions investigate citizens' complaints.

2.3. Land Policy and Law in Ethiopia and the Regional State of Tigray

According to the FDRE Constitution Article 40(3) land ownership resides apparently both in the state and the Ethiopian nation, nationalities and people. The Constitution further empowers the regional sates to administer

land and land related issues as per the federal laws.

The first federal Rural Land Administration and Use Proclamation No. 89 was promulgated in 1997 to provide an umbrella framework for the regional states in enacting rural land administration laws to which the four regional states of Amhara, Oromia, SNNP and Tigray complied. This was followed in 2005 by the landmark revised Federal Rural Land Administration and Use Proclamation No. 456/2005 that clarified rural land use rights and obligations and abolished forced redistribution of land which was the major source of tenure insecurity among the rural population. The regional state of Tigray, too, has promulgated different land laws to fit the demand of the society.

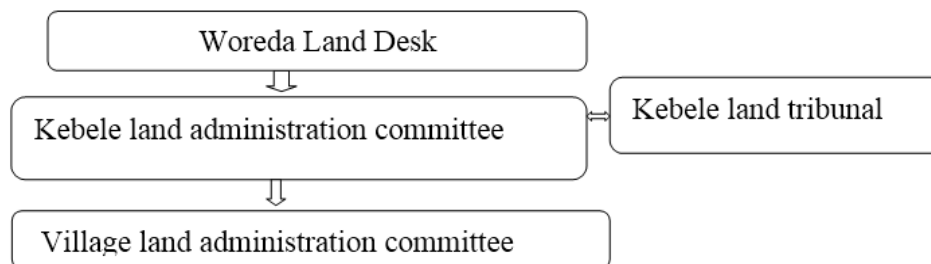
Furthermore, the regional state of Tigray amended the then proclamation, proclamation No. 130/2007 to tackle the problems of land governance, and thereby ensure good land governance by establishing and stretching capable institutions up to the lowest administrative level, which is village. Despite the fact that a new proclamation and regulation was ratified to modify the awkward part of the then proclamation, the institutions that were established to administer rural land matters at regional land at woreda level were not substituted by other administration units.

As far as rural land administration is concerned, the Regional Environmental Protection Rural Land Usage and Administration Authority is the highest organ to lead all land issues. Apart from this, a new rural land administration and use office is also established at woreda level as per the new proclamation. This institution is known as Desk and established to implement the power and functions of the authority which has been referred as an appropriate organ in article 2(3) of the definition part regarding Use and Administration of Rural Land. Furthermore, rural land committees both at kebele and at village were established as an appropriate organ in article (8) of the definition part regarding Use and Administration of Rural Land.

2.3.1. Organizational Structure of the Rural Land Administration at District level

The organizational structure of the land administration in Tigray as per the new land law has the structure described below

Figure: 1.1. Organizational structure of rural land administration at woreda level



Source: Own survey, 2015

The organizational structure of the rural land administration system as indicated in the above is, the newly arranged organizational structure publicized by the regional state of Tigray as per proclamation No.239/2013 by repealing the then proclamation. The rationale for this as indicated in the preamble of the proclamation was to ensure good land governance, systems, and tools, which stand for the common good by establishing clear and unambiguous land law. Besides, it is apparent that majority the people of the region are rural and land is the back bone of their life and hence the need for the amendment of the then proclamation and promulgate the new proclamation was to speed up development by ensuring the participation, accountability to benefit all the rural people and other stakeholders with the particular emphasis of youths, women and disabled people.

As indicated in the above figure, woreda desk is the office established at woreda level to implement the responsibilities of Environmental Protection Rural Land Administration and Land Use Agency. In line with this, the land administration committees are established at kebele and village level. While the kebele councils elect the former committees as per the recommendation of the kebele chair person, the later are elected directly by the village people. Each committee has five members and, of the five, the proclamation dictates that at least two of the committee must be female. Undoubtedly, this good start to participate and empowerment in compared the former proclamations.

When the issue of land is raised, it is true that women have been particularly unfairly excluded not participate in decision making process and not to get equal access of land ownership. According to (UN Habitat, 2012), in many countries, by law, practice or custom women cannot own land or make decisions on how to use it. Despite this international phenomenon, in Ethiopia, there is an encouraging commencement in ensuring tenure security and the inclusion of women to be treated like their male counter parts. The participation of the rural people in the land market went up. The number of conflicts over land fell, and women were empowered (ibid).

3. METHODOLOGY OF THE STUDY

3.1. Site selection and description of the study area

3.1.1. Site selection

The study was conducted at Naeder Adet woreda of regional state of Tigray. The researcher selected Naeder Adet woreda for the reason that the researcher is familiar with the woreda.

3.1.2. Socio Economic Situation of the woreda

Nader Adet is one of the 12 rural woredas in Central Zone of Tigray region that has 23 kebeles: 22 rural kebele & 1 urban kebele. Its UTM location is E 0462178, N 153500. It is bordered with T/Michew woreda in the North, Tselemti woreda in the South, Wereleke woreda in the East & Medebey Zana woreda in the West. The woreda capital is called Semema & is located 288 km from regional capital. Its area is approximately 937.49 sqkm. The land use pattern of the woreda shows that 14566.2 ha is cultivated land, 4497.5 ha is covered with forest, 11483 ha is covered with bush & shrubs.

Agriculture is the mainstay of the economy in the woreda. The internal revenue of the woreda in 2003 EFY was Birr 4,752,125. With regard to communication, the woreda has one post office, automatic telephone, mobile telephone, internet & fax services in the woreda capital & 22 satellite telephones in the rural tabias. The woreda capital has 24hrs electric service from the national grid hydropower source of energy. The number of towns & rural kebeles, which have electric service from hydropower source of energy, is 1 & 3 respectively. As accessibility of the woreda capital is all weather roads, there is public transport facility to the woreda capital.

3.2. Data type and source

The researcher used both qualitative data and quantitative data. In line with this, a semi-structured questionnaire, in-depth interviews and focused group discussion (FGD) were designed in order to capture relevant information. With regard to the data sources, both primary and secondary sources were used. The primary sources of this study include information obtained from the targeted respondents by conducting a semi-structured questionnaire and in depth interviews and FGDs as well.

In the secondary data, there was detail view of woreda desk and land administration committee files related to complain of the farmers. Besides, documents and reports available in the woreda land administration were reviewed. To back up the theoretical part, researches, articles, reports policies and packages, rules and regulations from the regional state and the woreda under the study in particular.

3.3. Research design and strategy

3.3.1. Research design

To conduct this study, the researcher applied a survey method. A survey method was employed here as it enables the researcher to effectively managing all the necessary activities that had taken place in the study. Besides, the research is cross sectional method. Furthermore, the study was both exploratory and descriptive since no research was conducted before in the study area, and it was entirely about the performances of accountability from the respondents' point of view.

3.3.2. Research Strategy

The researcher employed both qualitative and quantitative strategies to carry out the study. Qualitative strategy was employed for the reason it is typically used to answer questions about the complex nature of phenomenon, often with a purpose of describing and understanding the phenomenon from the participant's point of view. On the other hand, to supplant the qualitative method, quantitative strategy was used to analyze responses from the structured questionnaires.

3.4. Sampling design and procedures

To achieve this objective, it was plausible to collect opinion from civil servants, elected bodies (council members) and residents inhabiting in the woreda. The study population includes the woreda councils and public institutions at woreda level that include one public sector office along with its respective workers, and the community that inhabits in the 23 kebeles.

Therefore, three kebele were selected purposefully based on their proximity to the center of the woreda. The kebeles that the researcher selected were Adi selem, Debregenet and Metaklo, where the former two are proximate to the center of the woreda, the later is far from the center of the woreda. The researcher identified one public institution i.e. land administration. This was taken as sampling unit, because it is considered relevant to the study due to its nature of the service that it delivers to the woreda community.

To this end, judgmental sampling was used with regard to the FGD and interview part. In selecting individuals for the FGD and interview, educational status, age and social status was taken in to account.

On the questionnaire part, convenience sampling was used to respondents from the purposefully selected kebeles. Concerning the sampling size, the researcher employed Kothari's (Kothari, 2004) formula in the following manner.

Where:

N=size of the population

p=sample of proportion of successes

n=size sample

q=1-p

z=the value of the standard variety at a given confidence level

e=acceptable error (the precision)

And then, $N=2736$, $p=0.02$, $z=2.005$, $e=0.02$

Therefore,

$$n =$$

$$n = 181.66 \approx 182$$

3.5. Data collection instruments and field work

To obtain the necessary information, the researcher used both primarily and secondary data collection instruments. The primary sources of data were gathered using FGDs and questionnaires as well as personal interviews with local residents and public servants.

3.5.1. Data collection procedures

In order to administer questionnaires and collect data in a desired way, first, the researcher selected three enumerators and gave them one day training vis-à-vis the purpose and questionnaire collection procedures. Second, twenty questionnaire papers were used for pretesting to measure language appropriateness, flow and sequencing of questions, length of time, consistency, clarity of questions and ethical consideration. Then, based on the results obtained, the questionnaire was administered in the selected public institution during working hours of the land administration office. Then, the interview and FGDs were logically followed one after the other by the researcher.

3.6. Data processing and analyses

After collecting data, it was edited manually at home. Similar ideas were collected together as it helps to generalize the results of the respondents. Accordingly, similar data were summarized, rearranged, and then converted to descriptive form. Overall, quantitative and qualitative methods of data analysis were used. Percentages and tables were analyzed using quantitative methods. Tabulation and cross tabulation was used to analyze the quantitative data. In line with this, the researcher used SPSS (statistical package for social science) version 16.0. Besides, qualitative method was used to analyze results obtained from the interviews, FGDs and the open-ended part of the questionnaires.

4. RESULTS AND DISCUSSIONS

To assess the performance of accountability in the land administration sector at woreda level, one hundred and eighty two (182) household service users were surveyed. From the 182 distributed questionnaires, 182 of them were collected, because enumerators handled the data collection with close supervision of the researcher. Thus, this chapter analyzes and discusses the major findings of the research based on the data collected using questionnaire, interview and focus group discussions. Cognizant of the above fact, the analysis was carried out following the procedures of the specific objectives as it is indicated below.

4.1. Accountability and accountability mechanisms in land administration

Accountability as a principle of good land governance here refers to the obligation of organizational or public officials to provide information about their decisions and actions and to justify them to their customers/community and those institutions of accountability tasked with providing oversight. Besides, it is about capacity of accounting agencies or organizations and their people to impose sanctions on power-holders who have violated their public duties. In this regard, respondents were asked on the prevalence of accountability in land administration in table the below.

Table 4.1: Practices of accountability in the land administration sector

Variables	Cases	Prt.
Land administrators are accountable downward to the people.	Strongly disagree	5.5
	Disagree	59.4
	Undecided	0.5
	Agree	34.1
	Strongly Agree	0.5
	Total	100.0
Land administrators are only accountable upward to their party leaders.	Strongly disagree	1.1
	Disagree	10.4
	Undecided	4.4
	Agree	65.4
	Strongly agree	18.7
	Total	100.0
In case there is no confidence on the land administrators, the people can sanction /punish the land administrators.	Strongly disagree	3.3
	Disagree	53.8
	Undecided	1.1
	Agree	39.6
	Strongly agree	2.2
	Total	100.0

Source: Own field survey, 2015 NB: Prt. = Percent

As depicted in table 4.1, respondents were asked their perception on the accountability land administrators to the people. Accordingly, 108 (59.4%) and ten respondents replied disagree and strongly disagree while 62 (34.1%) and one of the respondents replied agree and strongly agree respectively.

The new rural land law of the regional state of Tigray (proclamation No. 239 /2013) stipulates that the community should directly elect the land committees at the village level and they should, too, accountable to the people at the village. Hence, it is straight forward that the village land administration committees are directly accountable to the people where the people exercise if not practically, theoretically the shortest form of accountability.

On the other hand, the land administration committees at kebele level are appointed by the kebele councils up on the recommendation of chief of the kebele administration. This implies the accountability of the land administration committees is to the kebele councils and the kebele administrator than downward to the people, but this does not mean that the land administration committees are not accountable to the people. In this regard, focused group participants pointed out that:

“Of course, we can hold accountable the land administrators, particularly at the village level. Besides, although the land committees at the kebele level are not directly accountable to us, indirectly we can question them via our kebele councils, but practically neither they are accountable to the council nor to the people. Accountability is either to their bosses or to the party leaders”.

Eventually, it can be stated from table 4.1 that majority (59.4%) of the respondents were disagreed on the accountability of land administration committee to the people. Focused group participants, too, boldly confirmed there is the dearth of downward and social accountability in the study area. The Canadian International Development Agency (2005) noted that in the past time, local officials in Ethiopia continue to look upward to central and higher authorities regarding loyalty and accountability rather than toward the constituencies. The case of the woreda under the study according to the household respondents and focused group participants, too, confirmed that accountability to the constituencies is lacking.

With reference to table 4.1, respondents were also asked the extent of their agreement whether they are capable to punish or sanction the land administration workers when they loss confidence on them. As result, 98 (53.8%) and six of the respondents replied disagree and strongly disagree while 72 (39.6%) and four of the respondents agree and strongly agree respectively. To supplant the above question, an interview was made with key informants and accordingly, almost all the key informants confirmed that notwithstanding the decision that the rural land administration committees made at village level, the community could dispose the land administration workers due the reason that the workers are directly accountable to the people.

Table: 4.2: Appointment/dismissal of land administration officials

Variables	Cases	Per
Appointment/dismissal of land administration officials is as per public knowledge.	strongly disagree	.5
	Disagree	27.5
	Undecided	2.2
	Agree	62.1
	Strongly agree	7.7
Total		100.0

Source: Field survey, 2015 NB: Prt. = Percent

As shown from above table 4.2, households were asked to put practice and experiences on the openness of the appointment or dismissal of the rural land administration committees. Accordingly, 62.1% and 7.7% replied agree and strongly agree while 27.5% and 0.5% of the households replied disagree and strongly disagree respectively.

The Interview made with kebele councils, too, showed that the appointment of land administration officials is carried out in a transparent way. The village land administration committees, for instance, are indeed not appointed, but directly elected by the people. The kebele land administration committee/kebele desk, however, are appointed by the kebele councils up on the recommendation of the chief of the kebele administrator. In parallel with this, when the rural community loses confidence up on the members of land administration committee at village level, they have the mandate to sack them.

On the other hand, the way land administration committees are sacked at kebele level is also clear and apparent. However, there are times where kebele land administration committees are intentionally either fired off or let to stay in their position without the consent of the council by the intervention of the kebele executives.

With regard to the woreda level, what matters is loyalty to the ruling party or personal relationship of the person with the ruling party. In line with this, one of the expert from the woreda council noted that individuals are dismissed not because they fail to discharge their responsibilities, but because they fail to show loyalty either to the ruling party or personally to the chief of the woreda administrator regardless of their performance.

4.2. Accountability mechanisms and tools in land administration

Under this, respondents were asked on their confidence to question their administrators and accountability tools that they use to account their service providers.

Table 4.3: Respondents perception and experiences on accountability mechanisms

Variables	Cases	Prt.
Do you have a full confidence to question about your land administration workers?	Yes	75.3
	No	24.7
	Total	100.0
What accountability mechanisms and tools do you use to hold accountable the land administration workers?	Gimgema	6.6
	Suggestion box	1.6
	Through consultation with councils	1.1
	Through land tribunals	7.1
	Gimgema & suggestion box	15.4
	Gimgema & consultation with councils	9.9
	All	33.0
	Not applicable	25.5
	Total	100.0

Source: Own field survey, 2015 NB: Prt. = Percent

As depicted in table 4.3, first, respondents were queried whether they have a full confidence to question their service providers or not. Accordingly, 137(75.3%) and 45(24.7%) of the respondents replied yes and no respectively. In the same vein, focused group participants claimed that:

"We don't have the problem to question our local officials. We question every now and then, but the problem is public questions are neglected. Whatever the credibility and the validity of the information, it is the consent of those who are in position which gets utmost recognition. The voices and interest of the people has nothing to influence those who're in power. It's like barking for nothing."

From the finding shown in the above table, majority (75.3%) of the respondents and focused group

participants agreed that the people in the study area have the confidence to account their workers in contrary to the study made by Mulugeta (2012) in Oromia region that rural people do not have the confidence to question their local officials for fear of any kind of attack that could be come later.

Furthermore, respondents were asked on what accountability mechanisms or tools have been using to question their land administration workers. Thus, as depicted in table 4.4, all most all those who responded yes used if not all, at least one accountability mechanism. And to make it clear, the following were among the accountability mechanisms that have been used in the study area to ensure accountability in the land administration.

Gingema (assessment secessions): This approach is supportive in terms of experience sharing and in terms of promoting accountability. The public under the study woreda formally assesses the performance of the kebele and woreda officials throughout the year.

According to the focused group participants periodic “gingema” are conducted via public forum, through the newly government based teams like networks and development teams. The objective of the forum (“gingema”) is to encourage those who register good performance and to criticize those who have had bad records in their performance. However, some people have negative attitude because of its subjectivity and lack of standard for performance indicators. In summary, the community of woreda under study has been using gingema to sack land administration committee both at kebele and village level. Besides, this accountability tools has been used also to fire off the local councils.

Suggestion box: is another tool that the land administration has been using to receive opinion about the performance of services provided to the people. Hence, those who can write provides their feeling, perception and suggestion in written way whereas for those who cannot write, there are three cards where the clients express their satisfaction about the service of the offices/institutions. These were green for very satisfied, yellow for satisfied and red for dissatisfied. However, there is suspension whether there is an immediate feedback to the clients’ suggestions and the service users have full awareness regarding these accountability mechanisms.

Opinion satisfaction survey: Different stakeholders in the study area conduct opinion satisfaction survey. For instance, the woreda land desk conducts clients’ opinion satisfaction survey twice a year in sample kebeles and a complied list of questions were prepared to be filled by the clients. The standing committee of the woreda council also conducts a client satisfaction survey in a selected kebele once a year before the date that the land sector offices provides its report to the council.

Local council oversight the executive: It is apparent the local councils that represent the citizens are expected to oversee the performance the executive with regard to the implementation policy and the service delivery. In the woreda under study, the councils oversee the land administration offices through its standing committees both at woreda and kebele level. However, the problem particularly at woreda level is when councils have a dual role. The head of the woreda land desk in the study area is both an executive and member of the woreda council. In this regard, Yilmaz and Venugopal (2008) noted the dual role of councils being as full time executive at woreda level creates conflict of interest and challenges the local council to oversee the performance the executives. Thus, this may create formidability in the overseeing process at the woreda desk.

Unlike to woreda land desk, the land committees at kebele level in the study are not members of the council. Thus, the overseeing process may not as difficult as in the woreda. However, the underlying reasons for weak oversight of the council over the service delivery process are, among others, lack of capacity both knowledge and skill, lack of planning at kebele level and lack of incentives. In line with this, Kumera (2007) and Negalegn (2010) noticed the bottlenecks in overseeing service delivery of local government in Ethiopia, among others, illiteracy, low commitment of the local councils and inadequate training to scale up their capacity to oversee the service providing agencies.

The kebele councils further noted that the problem over overseeing process is that there is strong influence by the executives over the councils. This clearly implies that the kebele councils are under the control of the executive where the accountability highly sterilized.

4.3. Factors that Influence the performance of accountability in the land administration

It is only more recently that an increasing attention is given to the issues of good land governance in Ethiopia and elsewhere in the world. Not surprisingly, there are different factors that hinder the accountability in both in the public and private sectors. Land sector is among the public sector organization that is highly exposed to bad governance for various reasons (Bell, 2007). Bad governance in land administration flourishes where there is complex, inconsistent or obsolete land law, fragmented institutional arrangements, weak institutions, ambiguous laws and corruption (FAO, 2007).

Even though there are many improvements in providing public services there by accountability in the woreda land administration, there are still plenty of constraints that undermine the efforts of the land administration in ensuring effective and efficient service delivery.

The problems that were mentioned from the focused group participants and the key informants were:

corruption, weak coordination among the local administration, lack of sound monitoring and evaluation, lack of incentives, low educational level and weak institutional capacity. In addition to this, inadequate human power and inadequate resources, low public participation and consultation in the land law, low commitment of leadership were mentioned as malaises that have been undermining the practices of accountability in the land administration of the woreda in this regard.

Corruption: corruption is one of the big challenges that the developing countries has been facing. Land administration is often perceived as one of the most corrupted sectors in public administration (Burns and Dalrymple, 2010). The reality in the study woreda is not exceptional from the national and regional scenario. In this regard, almost all focused group participants in the study area agreed that corruption is the most challenging issue in the land administration sector. Similarly, (Tesfaye, 2007; Burns and Dalrymple, 2010;) also found land as the most corruption prone area in Ethiopia. Given the scarcity of land, the speedy increment of the population and high demand of the people to a plot of land in the study, it is no wonder that there could conflict and rampant corruption in the land administration. In this regard, the speaker of the woreda council pointed out that corruption in the land administration is mainly manifested as in bribe to transfer land illusively to a third party, change or forged title and favoritism and land garbing, particularly by the kebele administrations.

According to FAO (2007), corruption noted as a common factor in governance problem is mainly stemmed from low pay, low motivation and favoritism. Similarly, key informants from the woreda desk and the kebele administrations confirmed that land administration officials in the study area, too, seek bribes to evade or speed up administrative procedures and to produce results that favor the bribers. For instance, users of land registration services have been forced to make additional illegal payments to obtain officials to process their documents like certificate of ownership and other services. Key informants further noted that not only favoritism in the study area is manifested by giving land to their favorite, it is also manifested, for example, in hiding plot of land to a relative who doesn't reside in the area where the agricultural land is located, hiding the land of government and NGOs employees. To this end, speaker of the woreda council confirmed that:

"Corruption in the land administration is a burning issue in our woreda. We (the woreda council) have indentified corruption as the key bottleneck of good governance in our woreda. What makes this irritating and shameful is that kebele cabinets and the speakers of kebele councils are active participants in land grabbing. For instance, the woreda council in collaboration with the others stake holders has investigated 8000 hectares of looted public and private land of which, all individuals mentioned in the above took part and now some of the are restored to land bank and the rest are transferred to the court since the last three years".

In Ethiopia in general and Tigray in particular, a key area where corruption in land occurs is in land allocation (Plummer, 2012). All key informants in the interview, too, confirmed that corruption is rampant in land allocation and land distribution. As aforementioned, a plot of land is given for those that are favored by the land committees of course, including for those that pay a bribe and for those who are their friends and relatives. Key informants pointed out that bribe in the land administration of the woreda are commonly carried out via honey, local beverages, and cash and a gift of cereals. Besides, abuse of power by the kebele administrations to get a plot of land was also the manifestations of corruption. The focused group participants further noted that the old saying of the community **'He who does not eat while in power, will regret it when he is out'** signifying that appointment into the public service is not perceived as serving the public rather it to the benefit of the appointee.

Lack of adequate and qualified manpower: lack of qualified human power has been responsible for the absence of sound strategic planning, monitoring and evaluation all potentially hindering good governance. According to the interview made with the village farmers and researchers observation, there is ample manpower both at kebele and at village level. Thus, compared to the then periods, there is a good launching in having adequate manpower both at kebele and village level, but the question that can be posed is up on their competency?

With regard to this, interviewee from kebele land administration committee claimed that:

"I am grade three and I have been working as a kebele land administration committee since the past three years and surprisingly, the training I took so far are merely two times for two days from the woreda". There are some issues that need clarity in the land law, but they simply impose us to implement it without enough training".

The land committees both at kebele and village level are not only unqualified, but also they do not get adequate training. They have an immense power and functions, which indeed is incompatible with their education level. With regarded to woreda desk, given the responsibilities and roles it has given it is found understaffed. The researcher had observed when an expert on land use planning works as a complain focal point and a lawyer at the same time. Moreover, as per the structure of the BPR, the land desk is required to have professionals of agricultural economics, natural resource management, management and agro business, but the woreda civil service was unable to recruit those professionals yet. Besides, it is worth noting that due to the sensitivity of the issues of land it is better to have a responsible body that keeps and organizes the files of the

woreda land administration. However, it was observed that there is lack of responsible body that keeps and organizes the files in the woreda desk. In other words, storekeeper is lacking in the woreda desk. The files were put haphazardly here and there. Some of were shabby and torn out. These have been compromising the performance accountability in that since the government officials do not know exactly the where about the documents/files of the farmers are.

Weak coordination of stakeholders: land administration needs solidarity of different individuals and offices. So far, the woreda land administration has accomplished its tasks in collaboration of various stakeholders. For instance, land committees, land tribunals, the kebele councils and cabinets, local militia and the former rural land administrators of Tigray locally known as “*nay seban shewaten meret shimagle*”, woreda desk and woreda court are among the stakeholders which were supposed to deal with land issues. However, note withstanding the achievements made so far, focused group participants noted that weak coordination among the stake holders are found as the prime challenging issues in the service delivery of the woreda land administration. In this regard, focused group participants further pointed out that one of the hurdles in implementing decisions over land and related issue is because the local militia and the then land allocators hereafter named “*meret shimagle*” of the villages don’t work jointly if they are required to submit a plot of land which given for somebody in case of transfer, redistribution and allocation.

Weak education system: public education be it formal or informal has viable role in the implementation of development policies and strategies. Realized this, the regional state of Tigray of Ethiopia has already reiterated in its Growth and Transformation Plans to scale up and empower the participation of the public in the formulation, implementations, monitoring and evaluation of the policies and service delivery via educating the public. In view of this, the land administration is one of the public sectors that a due emphasis was given in the plan period. However, unlike to the other sectors, the land administration has been facing multi- problems throughout decades. In this regard, focused group participants claimed that:

“One of the giant problem is the farmers don’t know the policies, laws, proclamations and rules and regulations of land. If you don’t know what the law says, you can’t ask your rights and also you can’t realize what went wrong and right. Ultimately, it becomes hardly possible to hold public officials accountable”.

Most of the focused group discussion participants also confirmed that informal education that local government has been delivering is more of how to improve sanitations, how to use the agricultural technologies than empowering to know policies and strategies and their rights and duties of the farmers.

5. CONCLUSION AND RECOMMENDATIONS

5.1. Conclusion

This research was mainly aimed at assessing the performance good land governance in land administration accountability from perspective.

In view of the objectives of this study, the finding from the perception, feeling and experiences of the respondents on the performance of good land governance in land administration of the woreda is concluded as follow.

To ensure administrative accountability, not only the local councils should strong enough, citizens should also directly take part in monitoring and following up the service delivery process. In spite of that, in one hand, members of the councils in the woreda under study are expected to act in accordance with party lines rather than being accountable to their constituents or to their conscience due to the intervention of the woreda head and kebele heads.

On the other hand, woreda and kebele councils are rubber stamps to the executives than standing on the behalf of their constituents to account the service providers. In this regard, focused group participants and key informants noted low capacity of councils, low public participations and lack of information as hindrances in ensuring accountability. Similarly, Yilmaz and Venugopal (2008) found that low capacity of local councils, lack of information on how and where to lodge complaints, absence of protection for whistle blowers and low civic engagement as for ensuring accountability in service delivery of the Ethiopian local government. Thus, in the presence of the above problems it is unlikely that the service providing individuals to be accounted.

The 1995 constitution of the FDRE, the package of good governance and the rural land proclamation of Tigray regional state vividly stipulates that any public official on public duty is accountable downward to its constituents. Despite that, accountability in the land administration of the woreda is up ward either to the party or to their boss. According to Mulugeta (2012), the survival of the local officials in Ethiopia is determined not by satisfying the interests of the people, but by satisfying the upper government. Overall, the performance accountability in land administration is sluggish.

The woreda land administration seems to insulate mechanisms to determine the demands and needs of the rural community, especially the poor in spite of that the reality on the ground is vice versa. Procrastination wittingly or unwittingly is well entrenched in the land administration institutions. Thus, although there is a good

start than before in fulfilling the demand of the rural community particularly women, youths and disabled people, its overall quality has remained unimpressive yet. The reason for this could be weak coordination among the stakeholders, for instance, the land tribunals, land committees and the security in investigating and enforcing decisions.

Besides, absence clear service standards, attitudinal problems connected with corruption, poor documentation are among the major the impediments of accountability in ensuring good governance in the land administration of the woreda. Furthermore, lack of incentives to the land committees is one of the daunting challenges towards accountability.

In sum, the performance of accountably in the woreda is hindered by lack of qualified man power and in adequate resources; weak coordination among stakeholders; weak implementation capacity; weak public awareness coupled by weak education system; absence of strong monitoring and evaluation mechanisms and corruption.

5.2. Recommendations

Based on the findings of the study and conclusions made, the following recommendations and policy implications are forwarded to different decision makers and potential researchers.

The woreda should continue with civic education campaigns on the good governance agenda to make the people aware of its implications on their lives. This will in turn empower the people and be able to hold their service providers accountable. In line with this, the representatives of mass associations like youth, women and peasant associations both at woreda and kebele level should empowered to engage in evaluating and monitoring the service delivery process of the land administration.

The woreda should set a code of conduct for land administration workers. The code should embrace all staff to apply a high level of commitment, and to act with dignity and honesty in all aspects of work adhering at all times to this code of conduct with the aim of contributing to the government's efforts to achieve sustainable progress and justice.

Tackling corruption in the land sector is intrinsically linked to improving its governance and hence, the woreda under the study should follow the land policy against corruption that is "naming and shaming" of those involved in corruption in front of the public like in the religious and public institutions.

Finally, the researcher highly presumes that in spite of its role in the development of the country, little attention has been given to good land governance research. Therefore, the study suggests that to investigate the performance of the good land governance and in order to fully identify the role of good governance in land administration is left to other interested researchers for further study to obtain relatively fully conclusive results.

ACRONYMS AND ABBREVIATIONS

AfDB	African Development Bank
CBOs	Community Based Organizations
CSA	Central Statistical Agency
CSOs	Civil Society Organizations
FDRE	Federal Democratic Republic Of Ethiopia
FGDs	Focused Group Discussions
FAO	Food and agriculture organization
IIGA	Ibrahim Index of African Governance
GTP	Growth and Transformation Plan
MOFED	Ministry of Finance and Economic Development
NEPAD	New Partnership for Africa's Development
SPSS	Statistical Package for Social Science
UNDP	United Nations Development Program
USAID	United States Agency for International Development
WB	World Bank

References

- Anello, E. (2008), "*A framework for good governance in the public pharmaceutical sector*", working draft for field-testing and revision.
- Burns T and Dalrymple,K(2008) Conceptual Framework for Governance in Land Administration, International Federation of Surveyors Article of the Month, Australia
- Canadian international development agency (CIDA), (2005), Ethiopia institutional governance review, available at <http://www.constitutionnet.org/pdf>
- Cresswell, J. 2003, "Research Design: Qualitative, Quantitative and Mixed Methods Approaches". London: Sage pp. 195-196.

- Earle, L. and Scott, Z. (2010), “*Assessing the evidence of the impact of governance on development outcomes and poverty reduction*”, International development department, University of Birmingham.
- FAO,(2005), “*Good governance in land tenure and administration*” www.fao.org/docrep/pdf/010/a1179e/a1179e00.htm
- FAO,(2009), Good governance in land administration. Principles and Good Practices.
- FDRE (1995), The Constitution of the Federal Democratic Republic of Ethiopia, Addis Ababa.
- Gebreslassie, K.(2012). Challenges of Good Governance in Local Government: The Case Of Saesietsaedamba Woreda, Tigray Region, Ethiopia:
- Haftom, T 2011, “*Rural land dispute settlement mechanisms in Tigray: The case of Humera*”. A thesis submitted to the school of graduate studies, school of law, Addis Ababa University.
- Helvetas Ethiopia (2008). Woreda Good Governance Support Project in south wollo
- Ibrahim Index of African Governance (2014), “African governance summary report”, Swindon, England October 2013.www.moibrahimfoundation.org/pdf/interact.
- Ibrahim Index of African Governance(2015), Overview: Ibrahim Index of African Governance. 2015 IIAG: Executive Summary.
- Kaufmann, D. Kraay, A. and Mastruzzi, M., (2009), “Governance matters VII: Aggregate and individual governance indicators”. World Bank policy research working paper no. 4654
- Kennedy, H. (2005), “*Good governance and the new local system in Malawi*”. Challenges and prospects, University of Johannesburg.
- Kothari 2004, Research methodology: Methods and techniques Second Revised Edition
- Mardiasmo, (2008), “*Implementation of Good Governance by Regional Governments in Indonesia*”: The challenges.
- Meskerem, S. (2007). Status Of Local Governance at Woreda/District Level In Ethiopia: Situation analysis of local governance/woreda in Ethiopia: Center for African Development Policy Research (CADPR) Written for the 4th International Conference on Ethiopian studies, organized by Western Michigan University, August 2007.
- Ministry of Finance and Economic Development 2007, “Plan for accelerated and sustained development to end poverty” –PASDEP- 2005/06.
- Ministry of Finance and Economic Development (MoFED) (2006). Pogramme of Action for Least Developed Countries, January 2006, Addis Ababa, Ethiopia.
- Mulugeta, D. (2012), “Decentralization in Ethiopia”, The Case of Dendi District’ West Shoa Zone, Oromia. Concept and Process. PHD paper.
- Odeh, M.A. and Mailafia, M.D. (2013), “*The African Union and public sector reforms under the New Partnership for Africa’s Development (NEPAD)’s African Pair-Reviewed Mechanism journal of social sciences and public policy*”, vol. 5, no. 1.
- Samsudin, S. (2011), “*A Review of Organizational Arrangements in Malaysia Land Administration System towards Good Governance*”: Issues and Challenges’. Land Governance, paper 4853
- Subedi, G. (2009), “*Good Land Governance in Nepal*”: Ministry of General Administration, Nepal. Year, Issue, Kathmandu.
- Tigray Regional State amendment on Rural Land Use and Administration, 2013, Proc. No 239, Tigray Neg.Gaz., Year 21, no.1.
- Tigray Regional State Population Census Commission Central Agency Statistical Report, 2007, Mekelle, Tigray.
- Transparency International.(2014), Ethiopia: Overview of corruption in land administration.
- Uddin, A. (2010) “*Impact of good governance on development in Bangladesh*”, Institute of society and globalization, Roskilde University Roskilde, Denmark.
- UNDP (2008), Democratic Land Governance and Some Policy Recommendations. OGC Discussion Paper 1 – MAY 2008.
- UN-Habitat(2012) ,Handling Land: Innovative tools for land governance and secure tenure. Web: <http://www.unhabitat.org>.
- Woldeab, T, Degefa T, Fenta, M, and Bamlaku, A., (2012), “*Governance and public service delivery*”: The case of water supply and roads services delivery in Addis Ababa and Hawassa Cities”, Ethiopia Regional and Local Development Studies, Addis Ababa University.
- Weldeabrha N(2014) Democratic Developmental State From Local Governance Perspective (The Case Of Hawzen Woreda, Tigray Region, Ethiopia). Mekelle, Ethiopia
- World Bank (2012) ,The land governance assessment Framework. Identifying and monitoring good practice in the land sector. Washington DC 20433
- Yimaz, S., and Venugopal, VA., (2008), “*Local government discretion and accountability in Ethiopia*”, International studies program. Working paper 08-38.